

Congress of the United States
Washington, DC 20515

June 27, 2017

The Honorable Scott E. Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Pruitt,

Over the last two years, thousands of residents in New York and Vermont have been suffering from contaminated municipal and private water supplies from Perfluorooctanoic acid (PFOA). The physical characteristics of PFOA allow it to be easily and quickly transported into ground and surface water. The mobility of PFOA, combined with the long-term persistence of the chemical, creates a unique pollutant that poses a long-term risk to public health.

In addition to PFOA, health concerns have been raised about perfluorooctane sulfonate (PFOS) and related perfluorinated compounds (PFCs) due to their similarity to PFOA. The EPA must play a central role in developing the science around perfluorinated compounds and properly regulating them. While we recognize this science is continuing to develop, our communities' experience with PFOA contamination highlights the risk these compounds can pose and demonstrates the urgent need for action.

Following the development of this science and any other prerequisites, there are three steps the EPA should fully consider taking: establishing national primary drinking water regulations for PFCs under the Safe Drinking Water Act; listing PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and taking action under the Toxic Substances Control Act (TSCA) to review and regulate PFCs if warranted.

As you know, last year the EPA readjusted its health advisory level for PFOA and PFOS from 400 parts per trillion (ppt) and 200 ppt respectively down to 70 ppt. The EPA must establish a regulation to ensure a safe, uniform level of protection for supplying safe drinking water to consumers. The Safe Drinking Water Act grants the EPA the authority to regulate contaminants, but the agency has been slow to act in making regulatory determinations for these compounds. Current science indicates that PFOA meets several of the criteria for regulation because of adverse effects on the human body, as well as the likelihood that the contaminant will occur in public and private water systems at levels of public health concern.

Additionally, we urge the EPA to fully consider listing PFOA and PFOS as hazardous substances under CERCLA to ensure liability is established for releases of these chemicals and also to ensure

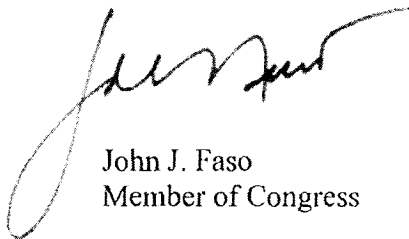
reportable quantities are established for any such releases. These chemicals may pose a long-term threat to exposed populations and it is critical the responsible parties remain engaged in mitigating these threats.

In 2016, the Frank R. Lautenberg Chemical Safety for the 21st Century Act was signed into law with overwhelming bipartisan support. The law modernizes the 40-year-old Toxic Substances Control Act by updating EPA standards for risk evaluations, modernizing the approach to chemical testing, and requiring the agency to expedite the evaluation of the risks associated with bioaccumulative and toxic chemicals. Due to their known bioaccumulative properties, we encourage the EPA to fully embrace the modernizations in the law, and institute more rigorous evaluation of PFCs.

While there is demonstrated evidence for regulating PFCs under the Safe Drinking Water Act, ultimately the decision rests on the judgement of the Administrator determining that regulating the contaminant presents a meaningful opportunity to reduce the risk to public health. We ask that you work closely with scientists and public health experts to establish firm standards for these compounds as warranted and take proper action to regulate them under SDWA and other statutes.

We appreciate your consideration and look forward to hearing from you in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Faso".

John J. Faso
Member of Congress

A handwritten signature in black ink, appearing to read "Peter Welch".

Peter Welch
Member of Congress